

said defendants, having received said pears in the original packages, offered the same for delivery to the general public at Chicago, Ill., on the same date, in further violation of said act. The pears were in unlabeled baskets.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8203. Misbranding of Beecham's Pills. U. S. \* \* \* v. 3 Gross Packages \* \* \* of Beecham's Patent Pills. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10908. I. S. No. 7719-r. S. No. C-1396.)**

On or about August 4, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 gross packages, more or less, of Beecham's Patent Pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about June 20, 1919, by the B. F. Allen Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Beecham's Patent Pills \* \* \* Sold by the Proprietor, St. Helens, Lancashire, England."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes and ginger, and were coated with talc.

Misbranding of the article was alleged in the libel for the reason that the label affixed to the packages thereof as aforesaid, bearing the statement aforesaid, regarding said drug product, was false and misleading and was designed and intended to represent that the article was manufactured or produced in England, whereas, in truth and in fact, it was not manufactured or produced in England, but was manufactured or produced in the United States of America; and for the further reason that the false and misleading label aforesaid bearing the false and misleading statement aforesaid was designed and intended to mislead and deceive and constituted a misbranding of the packages of the drug product as aforesaid. It was alleged in substance in the libel that the article was misbranded for the further reason that the following statements in the circular enclosing and affixed to each of the packages of the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the drug product did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in said statements: (Circular with the 25-cent-size retail package, statement of Thomas Beecham) " \* \* \* Accumulated experience, all the world over, has declared them to be the most reliable Family Medicine procurable; and whenever tried, they have been permanently adopted as the specific to be depended on for defeating those evils which usually assail health in our daily lives, and, if taken in time, they will ward off many a serious illness. \* \* \*;" (page 1) " \* \* \* The Blood. \* \* \* but we may all, by the aid of Beecham's Pills keep important organs of the body in working order, and by due attention to simple hygiene maintain ourselves in the highest degree of health permitted by our circumstances in life. \* \* \* In the first place, it is desirable that those who take the Pills should abstain

from, or use only in the strictest moderation, all alcoholic drinks, and let the food be of a plain and wholesome character; but should anyone be suffering from over-indulgence, be he ever so ill, or his head ever so bad, let him take a dose of Beecham's Pills, and he will be all right in the morning. \* \* \*

Persons of a strong or average constitution, but who may temporarily be suffering from any of the complaints herein mentioned, will usually find the dose to suit them to be three or four pills once a day; \* \* \*

Others, who may be frequently subject to one or more of the specified ailments, should take smaller doses of the pills occasionally, \* \* \*

This rule, however, may be borne in mind, that on the first sign of anything wrong, at least two pills should be taken immediately, no matter when. \* \* \*

Disturbing dreams and restless nights are very often occasioned by intestinal disorder. In sleeplessness, arising from such causes, Beecham's Pills are peculiarly efficacious, and seldom fail to induce the longed for repose. \* \* \*

Sick Headaches, Want of Appetite, Fulness after Meals, Nausea, Wind, Pain and Sickness of the Stomach. \* \* \*

To remove these complaints we must remove the cause. The principal cause is generally to be found in the stomach, liver and kidneys; put these organs right and all will be well. For those troubled with the above complaints a dose of Beecham's Pills will in most cases give early relief. \* \* \*

What is commonly known as 'the wind' frequently gives rise to some of the unpleasant symptoms here alluded to; or they may result from breathing vitiated atmosphere or inhaling noxious vapors and emanations; or unwholesome food may produce almost poisonous effects. In any such case, it is the blood which has become contaminated; \* \* \*

The action of Beecham's Pills is prompt and certain. A person troubled with any of the disorders enumerated above, when due to digestive disorders or improper food, should take the Pills \* \* \* for a short time, when the evil will be removed, the system reinvigorated and the sufferer restored to sound and lasting health. \* \* \*

Dyspepsia \* \* \*

The symptoms of Dyspepsia are exceedingly distressing, including Heartburn, Waterbrash, Eructations, Hic-cough, Nausea and Vomiting. The tongue is coated, the breath offensive, and the complexion grows 'pasty.' In neglected cases, the failure of the appetite becomes serious and the tissues waste through imperfect nutrition. There is much weakness, depression and irritability. It gives rise to general debility and anaemia, and when it has existed for a considerable time, probably no disease is so troublesome to cure. But let the sufferer take comfort. Special attention should be given to diet and those things avoided which are found to cause trouble, while Beecham's Pills may be relied upon as a great assistance to sufferers;" (page 2) " \* \* \*

Nervous Debility \* \* \*

There is, however, a common form of nervous debility in which they are of great service. It is that kind which has its origin in derangement of the digestive organs. Here the tone of the nervous system is lowered, because in common with the other tissues, it is affected by malnutrition. If Beecham's Pills are taken and the functions of digestion are restored to healthy activity, the nervous system will recover its tone in a natural manner, as the result of improved nutrition; and in the absence of any marked nervous disorder, nature, thus assisted, may be relied on to effect a cure. \* \* \*

Many skin disorders arise, directly or indirectly, from an insanitary state of the epidermis, or as the consequence of specific diseases, and in such cases only special treatment will avail; but by far the greater number of muddy, pimply, spotty and blotchy complexions we see around us are due to a sluggish state of the liver, to faulty digestion, and to constipated bowels. Rashes are not at all infrequently caused by errors of diet. In all such cases a regular course of Beecham's Pills will be found to have remarkably good results. Better for the com-

plexion than all the expedients of cosmetics, powders, creams and washes is pure blood, and in all normal conditions the blood can be kept pure by maintaining a clean and healthy state of the organs of digestion and excretion. Hence it is, that Beecham's Pills are of such service in removing and preventing unsightly eruptions and bringing the skin to a fresh and desirable condition. Ladies, and indeed all who value the outward charm of a clear complexion as the consequence of internal health, will find nothing better than Beecham's Pills for insuring freedom from those surface blemishes which, too often, mar the most attractive appearance. The Kidneys. These important organs, whose office it is to form the urine and thereby separate waste products from the blood, should never be allowed to fall into a diseased condition. They may be clogged or sluggish without being diseased, but they cannot be allowed to remain so for any lengthened period without serious risk to the health. The thing, therefore, is to take some simple medicine which will gently assist the action of the kidneys, and by stimulating the flow of urine help to carry off the solid matter with which the fluid is charged. For this purpose Beecham's Pills will be found exceedingly valuable, and whether taken for their efficient, diuretic properties, or as an adjunct to special treatment, there is probably no case in which these Pills would not be of great benefit. They are decidedly useful in assisting the expulsion of uric acid from the system if taken in conjunction with the measures here recommended. It is well to remember, by the way, that an excess of uric acid is frequently associated with an unhealthy state of the liver, and that constipation and a sluggish liver in all uric acid troubles are conditions never to be neglected. \* \* \* Should anyone have reason to suspect that uric acid is not being properly eliminated, and that sluggish kidneys are giving rise to indisposition, the immediate and systematic use of Beecham's Pills is confidently advised. At the same time the diet should be regulated, alcohol consumed only in the strictest moderation, if at all, and, then much diluted with potash or lithia water. Pure water should be drunk freely, reasonable exercise in the open-air indulged in, woolen underwear adopted, and warm or tepid baths frequently taken. This simple treatment will, in all ordinary cases, not only restore the health, but may prevent more complicated forms of disease from arising, and Beecham's Pills will probably be the only medicine required to achieve the desired result. Secret Maladies. It is very difficult to form a decision as to what should be communicated to the public and what should be withheld on the subject of certain secret disorders, the nature of which is commonly understood, and upon which, therefore, it will be unnecessary to dwell. It will be sufficient to offer a few general remarks, and to indicate the method of cure, which is, beyond all, the question of supreme importance. Let it never be forgotten that even a slight delay in dealing with diseases of this type may be terribly fruitful of future trouble. \* \* \* In the first place, the advice of a properly qualified medical man is necessary, whatever the character of the disease, or whether it be hereditary or acquired. But the process of eradicating the poison from the system will be materially assisted by the aid of a perfectly safe but reliable, searching, cleansing purgative medicine; and nothing better for that purpose can be used than Beecham's Pills. They should be taken immediately, and continued for a considerable time after the cure is apparently complete. This is of the utmost importance, because in many cases the cure is not absolute, and nothing but a prolonged course of an efficient blood-purifying medicine like Beecham's Pills will make it so. The great object in treating these disorders is to thoroughly clear the blood of every trace of the specific poison

which has affected it; and when it is remembered that the taint may linger, unsuspected, for years, and then reappear in some distressing form of disease, or in the offspring, it is at once obvious that the process of blood-purification should be continued, without intermission, for a long period. By taking Beecham's Pills, as here recommended, this end will be accomplished in the most satisfactory manner and without giving rise to the debilitating effects of more drastic alteratives. They will at the same time strengthen and tone up the digestive organs. Advice to Females of all ages. There are two very critical ages in the life of women. Females from sixteen to twenty-five years are often subject to serious variations and derangements affecting their usual monthly periods; which latter are either unduly delayed or poor and insufficient. Let such sufferers beware and remedy the evil before it is too late. The existence of thousands is made wretched, and painful diseases are sometimes established long before the prime of life is reached through carelessness in the matter referred to. There are many females in every condition of life, and particularly those dwelling in the manufacturing districts, or engaged in factories or business generally, who suffer from constant languor, shortness of breath, tightness of the chest, with difficulty in breathing, sometimes attended with a short, dry cough, with loss of appetite, loss of interest in work or pleasure—in fact, loss of all the energies of life, through dangerous inattention to the laws which govern their sex. Women, as soon as they find any unusual delay or departure from regularity at the proper time, should assist Nature by taking two or more Beecham's Pills morning and night, and this efficient medicine will not fail to bring about the free and healthy action that is required. \* \* \* The extent of the trouble experienced by women is varied, but Beecham's Pills have long been a favorite and efficient resort to prevent undue distress and discomfort. One trial will usually convince those who do not yet know that it is wise to have Beecham's Pills on hand. From forty to fifty is, again, a highly critical age for a woman. It is, mostly, within this limit that what is generally known as 'the change of life' occurs. \* \* \* The general health should be fortified, the bowels kept active, and the organs of digestion regulated by the use of Beecham's Pills. How many females do we see daily around us, who suffer in a most distressing manner from Indigestion and loss of Appetite, Bilious and Liver Complaints, Sick Headache accompanied by lowness of spirits and great depression of the nervous system? Others again suffer with bad legs, swellings and stiffness of the joints, rheumatism, dropsies, and a thousand other distressing complaints. Beecham's Pills have saved the lives of thousands of women who have tried other medicines without avail, and given themselves up to despair. Let every female, as soon as she finds a change coming on, take four or five of the Pills every day for a week or two, and afterwards take them four or five days in every month, and by this means they will assist Nature to carry off all gross humors and tide over the critical period without serious complications and with freedom from the pain and inconvenience that so often accompany it."

On September 8, 1919, the said B. F. Allen Co., New York, N. Y., Chicago, Ill., and Boston, Mass., claimant, having filed its claim and answer admitting the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*